

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

SOCIETE DE FABRICATION MATY SFM,

SUMMONS IN A CIVIL CASE

v.

CASE NUMBER:

06 CV 13217

M. FABRIKANT & SONS, INC.,

JUDGE PRESKA

TO: (Name and address of defendant)

M. Fabrikant & Sons, Inc.
One Rockefeller Plaza
New York, New York 10020

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Jonathan K. Cooperman, Esq.
Kelley Drye & Warren LLP
101 Park Avenue
New York, NY 10178

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

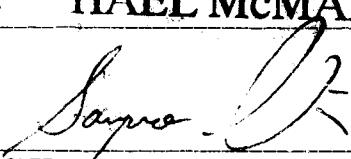
NOV 15 2006

J. MICHAEL McMAHON

CLERK

DATE

(BY) DEPUTY CLERK



Societe De Fabrication Maty SFM,

Plaintiff,
-against-

M. Fabrikant & Sons, Inc.,

Defendant.

AFFIDAVIT OF SERVICE
Case No: 06 CV 13217
Judge Preska

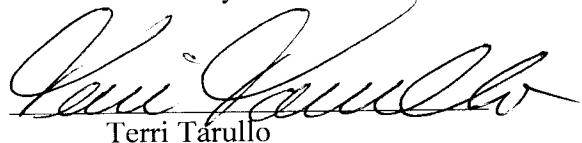
State of New York)

ss:

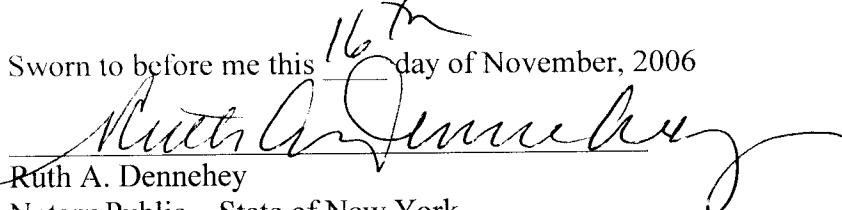
County of Albany)

Terri Tarullo, being duly sworn, deposes and says:

Deponent is over the age of eighteen years and is a resident of New York State. That on November 16, 2006 at approximately 2:45 p.m. deponent served the following specific papers pursuant to Section 306 of the Business Corporation Law: Summons in a Civil Case and Complaint, 7.1 Statement, Individual Practices of Judge Loretta A. Preska, Third Amended Instructions for Filing an Electronic Case or Appeal, Guidelines for Electronic Case Filing, Procedures for Electronic Case Filing, and the Individual Practices of Magistrate Judge Henry Pitman; that the corporation served was M. Fabrikant & Sons, Inc., a domestic business corporation, the defendant in this action, by personally serving two copies of the aforesaid papers at the office of the Department of State located in the City of Albany, New York by delivering to and leaving the papers with Carol Vogt, a white female with brown hair, being approximately 36-50 years of age; height of 5'0"-5'3", weight of 100-130 lbs., being an authorized person in the Corporation Division of the Department of State and empowered to receive such service. That at the time of making such service deponent paid to the Secretary of State the fee prescribed by Law in the amount of \$40.00.


Terri Tarullo

Sworn to before me this 16th day of November, 2006


Ruth A. Dennehey
Notary Public – State of New York
Qualified in Albany County
Registration No. 4729775
Commission Expires: 11-30-2010